

**ENTERED**

September 04, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

BOBBY DEWAYNE EVANS,

Plaintiff,

VS.

JAVIER MURO, *et al*,

Defendants.

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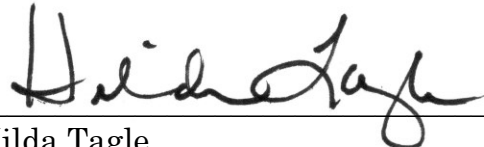
CIVIL NO. 2:18-CV-127

**ORDER**

The Court has received the magistrate judge's Memorandum and Recommendation ("M&R"), Dkt. No. 18, in which the magistrate judge recommends that this case be dismissed for failure to state a claim and/or as frivolous. The deadline to file objections to the M&R has passed, and no objections have been filed. *See* FED. R. CIV. P. 72(b) (setting 14-day deadline to object); M&R, Dkt. No. 18 at 15 (advising Plaintiff of the 14-day deadline).

After independently reviewing the record and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 18, and **DISMISSES WITH PREJUDICE** the above-captioned case for failure to state a claim and/or as frivolous under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1). This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g). The Court therefore **INSTRUCTS** the Clerk to send notice of this dismissal to the Manager of the Three Strikes List for the Southern District of Texas at [Three\\_Strikes@txs.uscourts.gov](mailto:Three_Strikes@txs.uscourts.gov).

SIGNED this 4th day of September, 2018.



Hilda Tagle  
Senior United States District Judge